

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE

2004 JUN 18 A 11:41

CIVIL ACTION NO. 03-12469-JLT
U.S. DISTRICT COURT
DISTRICT OF MASS.

AMERICAN TOWER CORPORATION,

Plaintiff

v.

GRANITE STATE INSURANCE
COMPANY,

Defendant

and

FRED A. NUDD CORPORATION,
COMPANY,

Defendant and
Third Party Plaintiff

v.

UNDERHILL CONSULTING
ENGINEER, P.C.

Third Party Defendant

INITIAL DISCLOSURE OF DEFENDANT FRED A. NUDD CORPORATION

Pursuant to Fed.R.Civ.P.26(a)(1) and Local Rule 26.2(A), Fred A. Nudd Corporation makes the following initial disclosures, based on the information now reasonably available to it:

A. Based on the facts alleged in the Complaint, Fred A. Nudd Corporation identifies the following individuals who may have discoverable information relevant to any disputed facts:

1. Patrick Homer, Unisite, 3450 Buschwood Park, Suite 250, Tampa, FL. Mr. Homer was the Unisite representative with whom Fred A. Nudd Corporation dealt regarding the towers which are the subject of this action.

2. George Underhill, the President of Underhill Consulting Engineer, P.C. Mr. Underhill performed the engineering and certification services on the towers which are the subject of this action.

3. Thomas Nudd, Lowell Nudd, Michael Withey, Timothy Wilson and Patrick Botimer, Fred A. Nudd Corporation, P.O. Box 577, 1743 Route 104, Ontario, NY 14519 (315)524-2531.

B. Based on the facts alleged in the Complaint, Fred A. Nudd Corporation identifies the following documents, data compilations, tangible things in its possession, custody or control which may be relevant to any disputed facts:

1. Engineering packages relating to the towers.
2. Work orders, invoices, shipping orders, purchase orders and correspondence between Nudd and Unisite.

C. Not applicable.

D.

1. Mt. Hawley Insurance Company, Policy No. MGL0128487.
2. Granite State Insurance Company/AIG, Policy No. CPP-0000-7098-56-5298 (produced on January 8, 2004).

3. Diamond State Insurance Company, Policy No. CV006433.
4. United States Fire Insurance Company, Policy No. 503-184935.

The Defendant and
Third Party Plaintiff
FRED A. NUDD CORPORATION
By its attorney,


Robert E. Riley
BBO NO. 420660
VENA, RILEY, DEPTULA, LLP
250 Summer Street
Boston, MA 02210
(617)951-2400

Dated: June 17, 2004

CERTIFICATE OF SERVICE
I hereby certify that a true copy of the above document
was served upon the attorney of record for each other
party by (hand) (mail) on 6/18/04
